

Attorney Docket No.: 5693P295C

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Srinivasan Viswanathan et al.

Serial No.: 10/719,699

Filing Date: 11/21/2003

For: RECOVERY OF FILE SYSTEM DATA IN
FILE SERVERS MIRRORED FILE
SYSTEM VOLUMES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner: Puente, Emerson C.

Group Art Unit: 2113

Confirmation No.: 1349

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 25, 2006

(Date of Deposit)

Julie Arango

(Printed name)

Julie Arango 5/25/06

(Signature)

(Date)

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

The undersigned attorney represents that the undersigned attorney is the attorney of record for the above-referenced patent application.

The assignee of the entire right, title, and interest in and to the above-referenced patent application is Network Appliance, Inc. ("assignee"),
(Name of Assignee)

a Delaware corporation having a place of business at
(State of Incorporation)

495 East Java Drive, Sunnyvale, CA 94089

(Address)

The terminal part of any patent granted on the above-identified application that would extend beyond the expiration of the full statutory term of

X United States Patent No. 6,654,912 B1, entitled Recovery of File System Data in File Servers Mirrored File System Volumes, and dated November 25, 2003, as presently shortened by any terminal disclaimer,
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is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

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this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors, or assigns.

No disclaimer is being made as to any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term of

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in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

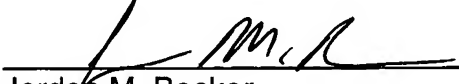
Enclosed is a check for \$130.00 for the fee under 37 C.F.R. § 1.20(d).

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 5/25/06



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